



DEPARTMENT OF TRANSPORTATION
MATERIALS TRANSPORTATION BUREAU

WASHINGTON, D.C. 20590

23880

DOCKET NO. HM-22; NOTICE 79-5

Matter Incorporated by Reference

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The purpose of this notice of proposed rulemaking is to propose an update of the reference in 49 CFR 171.7(d)(1) to the ASME Boiler and Pressure Vessel Code in order to recognize the 1977 edition of the ASME Code and the addenda thereto through December 31, 1978.

DATES: Comments must be received on or before May 23, 1979.

ADDRESS: Send comments to: Dockets Branch, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. It is requested that five copies be submitted.

FOR FURTHER INFORMATION CONTACT: Delmer F. Billings, Office of Hazardous Materials Regulation, Materials Transportation Bureau, Research and Special Programs Administration, 2100 Second Street, SW., Washington, D.C. 20590, (202) 755-4902.

SUPPLEMENTARY INFORMATION: The Compressed Gas Association, Inc., (CGA), has submitted a petition to update the ASME code reference in § 171.7(d). The CGA requested that the reference be updated through December 31, 1978. After review, the MTB has concluded that the latest code and addenda thereto may be referenced in § 171.7(d) with the exception of

paragraph UW-11(a)(7). This paragraph substitutes ultrasonic testing of welds for X-ray testing. It is the MTB's opinion that ultrasonic testing should not be referenced since this test method and procedure must be further analyzed and evaluated before being incorporated as part of the reference.

In consideration of the foregoing, Title 49, Code of Federal Regulations, § 171.7(d)(1) would be revised to read as follows:

§ 171.7 Matter incorporated by reference.

* * * * *

(d) * * *

(1) ASME Code means section VIII (Division I) and IX of the 1977 edition of the "American Society of Mechanical Engineers Boiler and Pressure Vessel Code," and addenda thereto through December 31, 1978, except paragraph UW-11(a)(7) of the code does not apply.

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Authority: (49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53; 49 CFR Part 1, App. A and paragraph (a)(4) of App. A to Part 106).

Note.—The Materials Transportation Bureau has determined that this document does not contain a major proposal requiring the preparation of an Economic Impact Statement under Executive Order 11821 and DOT implementing procedures (43 FR 9583). A regulatory evaluation is available in the public docket.

Issued in Washington, D.C. on April 13, 1979.

Alan I. Roberts,

Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau.

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